

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

|   |   |                           |
|---|---|---------------------------|
| Junies A. Jenkins, Jr. #65737               | ) | C/A No.:2:08-cv-03145-GRA |
|   | ) |                           |
| Plaintiff,                                  | ) | <b>ORDER</b>              |
|   | ) | (Written Opinion)         |
| v.  | ) |                           |
|   | ) |                           |
| Sammy Joe Jenkins, Sr.; Brenda L.           | ) |                           |
| Jenkins; Ida Mae Jenkins-Heffner; Daniel    | ) |                           |
| D. D'Agostino; Bonnie J. Jenkins;           | ) |                           |
| D'Agostino and D'Agostino; Barbara Ulibari; | ) |                           |
| Terry Goddard; Dora B. Schriro; Daryl       | ) |                           |
| Johnson; State of Arizona; and Arizona      | ) |                           |
| Department of Corrections,                  | ) |                           |
|   | ) |                           |
| Defendants.                                 | ) |                           |
|   | ) |                           |

This matter comes before the Court on the defendant's motion to reconsider this Court's October 29, 2008 Order. In that Order this Court denied the action because the plaintiff received three strikes pursuant to 28 U.S.C. § 1915(g) and failed to allege any imminent threat of serious physical harm that would allow the action to be filed.

Plaintiff brings this matter pro se. This Court is required to construe pro se pleadings liberally. Such pleadings are held to a less stringent standard than those drafted by attorneys. *See Gordon v. Leeke*, 574 F.2d 1147, 1151 (4th Cir.), cert. denied, 439 U.S. 970 (1978). This Court is charged with liberally construing a pleading filed by a pro se litigant to allow for the development of a potentially meritorious claim. *See Cruz v. Beto*, 405 U.S. 319 (1972).

After a thorough review of the defendant's motion and cases cited therein, this Court finds that the defendant's motion contains nothing that compels this Court to alter its prior Order. Therefore, the defendant's motion to reconsider is DENIED.

IT IS THEREFORE ORDERED that the Plaintiff's Motion to Reconsider is DENIED.

IT IS SO ORDERED.



G. ROSS ANDERSON, JR.  
UNITED STATES DISTRICT JUDGE

Anderson, South Carolina  
November 18, 2008

NOTICE OF RIGHT TO APPEAL

Petitioner has the right to appeal this Order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure. Failure to meet this deadline, as modified by Rule 4 of the Federal Rules of Appellate Procedure, will waive the right to appeal.